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OFFICE OF PETITIONS

In re Application of :
Timothy M. Morris, et al. :
Application No. 10/694,645 :
Filed: October 27, 2003 :
Docket No. PA-004.02739-US (03-634) :

ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed June 29, 2009, to revive the above-identified application.

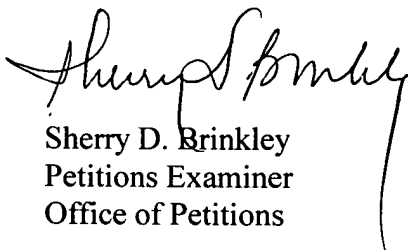
The petition is **GRANTED**.

This application became abandoned for failure to timely respond to a decision by the Board of Patent Appeals and Interferences mailed January 29, 2009. It is noted that a Request for Continued Examination (RCE) was filed on March 30, 2009. However, on June 3, 2009, the RCE was held improper, since it failed to include a submission under 37 CFR 1.114. On June 29, 2009, the present petition was filed.

The petition is found to satisfy the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Request for Continued Examination (RCE) and fee of \$810, and the submission required by 37 CFR 1.114; (2) the petition fee of \$1,620; and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3204.

This application is being referred to Technology Center AU 3644 for processing of the RCE and for appropriate action by the Examiner in the normal course of business on the amendment submitted in accordance with 37 CFR 1.114.


Sherry D. Brinkley
Petitions Examiner
Office of Petitions